1	STATE ARMORY BOARD AMENDMENTS
2	2003 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Don E. Bush
5	This act modifies the Militia and Armories title by requiring the State Armory Board to
6	notify the Legislature prior to certain transactions and by repealing obsolete sections.
7	This act affects sections of Utah Code Annotated 1953 as follows:
8	AMENDS:
9	39-2-2, as last amended by Chapter 107, Laws of Utah 1990
10	REPEALS:
11	39-2-3, Utah Code Annotated 1953
12	39-2-4 , Utah Code Annotated 1953
13	39-2-5 , Utah Code Annotated 1953
14	39-2-6, as last amended by Chapter 64, Laws of Utah 1953
15	Be it enacted by the Legislature of the state of Utah:
16	Section 1. Section 39-2-2 is amended to read:
17	39-2-2. Powers of State Armory Board.
18	(1) The board shall supervise and control the armories and arsenals, and all real
19	property held or acquired for the military purposes of the state.
20	(2) The board may:
21	(a) provide suitable armories and arsenals for the different organizations of the
22	National Guard;
23	(b) lease buildings for armory and arsenal purposes throughout the state wherever
24	necessary for the use of organizations of the National Guard and for the storage of state and
25	government property at [such] a rental [as it] that the board considers reasonable;
26	[(c) take options for the purchase of any premises under lease to the state for armory
27	and arsenal nurnoses at any time within the life of such lease when the nurchase is in the state's



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28	interest, and at such prices as the board and the owner of such premises may agree upon;
29	provided that no option is binding upon the board until ratified by act of the Legislature;]
30	[(d)] (c) erect armories and arsenals at [such] places within the state [as] that it
31	considers necessary upon lands to which it has acquired the legal title; and
32	[(e)] (d) expend military funds [as it considers advisable and necessary in the hands of
33	the state treasurer] to acquire legal title to lands and to construct armories and arsenals.
34	(3) (a) Subject to Subsection (3)(b), the board may take options for the purchase of any
35	premises under lease to the state for armory and arsenal purposes:
36	(i) at any time during the life of the lease; and
37	(ii) when the purchase is in the state's interest.
38	(b) An option is not binding upon the board until it is approved by the Legislature.
39	ĥ [(4) (a) Subject to Subsection (4)(b), the board may sell armories and army premises
40	within Utah.
41	(b) The board shall notify the chairs of the Executive Appropriations Committee and
42	the Office of the Legislative Fiscal Analyst at least 30 days before entering a binding agreement
43	<u>to:</u>
44	(i) sell any armory or army premises;
45	(ii) sell any real property interests owned by the National Guard; or
46	(iii) acquire any interests in real property.
46a	(4) (a) BEFORE LEGALLY BINDING THE STATE TO SELL ANY ARMORY, ARMY PREMISES,
46b	OR OTHER REAL PROPERTY OWNED BY THE NATIONAL GUARD, THE BOARD SHALL SUBMIT A
46c	DESCRIPTION OF THE PROPOSED SALE TO THE LEGISLATIVE MANAGEMENT COMMITTEE FOR ITS
46d 46e	REVIEW AND RECOMMENDATIONS. (b) BEFORE LEGALLY BINDING THE STATE TO PURCHASE ANY INTEREST IN REAL
46f	PROPERTY, THE BOARD SHALL SUBMIT A DESCRIPTION OF THE PROPOSED SALE TO THE
46g	LEGISLATIVE MANAGEMENT COMMITTEE FOR ITS REVIEW AND RECOMMENDATIONS.
46h	(c) THE LEGISLATIVE MANAGEMENT COMMITTEE SHALL REVIEW EACH PROPOSAL AND
46i	MAY:
46j	(i) RECOMMEND THAT THE BOARD COMPLETE THE PURCHASE OR SALE; OR
46k	(ii) RECOMMEND THAT THE BOARD NOT COMPLETE THE PURCHASE OR SALE. $\hat{\mathbf{h}}$
47	h [(e)] (5) h The proceeds from the sales of armories and army premises h [under Subsection
47a	$\frac{(4)(a)}{a}$] AUTHORIZED BY THIS SECTION $\hat{\mathbf{h}}$
48	shall be appropriated to the State Armory Board to be applied toward the construction of new
49	armories.
50	Section 2. Repealer.
51	This act repeals:

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52	Section 39-2-3, Construction of National Guard armories.
53	Section 39-2-4, Order of construction of armories.
54	Section 39-2-5, Sale of Bountiful, Beaver and Provo armories Disposition of
55	proceeds.
56	Section 39-2-6, Sale of armories and armory premises Disposition of proceeds.

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Legislative Review Note as of 11-20-02 5:09 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Interim Committee Note as of 12-12-02 3:27 PM

The Government Operations Interim Committee recommended this bill.

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State Armory Board Amendments

24-Jan-03 10:18 AM

State Impact

Fiscal resources required to implement provisions of this bill can be handled within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst